

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 10, 2009. Claims 17 to 36 are in the application, of which Claims 17 and 30 are independent. Reconsideration and further examination are respectfully requested.

The Amendment After Final Rejection dated March 16, 2009 was objected to for allegedly introducing new matter. Claims 30 to 36 were also rejected under 35 U.S.C. § 112, first paragraph, for alleged failure to comply with the written description requirement. In particular, the Office Action alleges that there is no support in the specification as filed for the units of Claim 30 to 32, i.e., the receiving unit, storage unit, authorizing unit, first and second enabling units, notifying unit and determination unit.

The objection and rejection are respectfully traversed, since it is believed that the original specification provides full support for the claims. Specifically, the receiving unit is described as, for example, controller 21. See paragraphs [0031] and [0047] to [0054]. The storage unit is described as, for example, data store 26. See paragraph [0033]. The authorizing unit is described as, for example, MPI 23. See paragraph [0061]. The newly claimed displaying unit is described as, for example, Web Tools 28. See paragraphs [0035] and [0064]. The first and second enabling units are now claimed as a single unit which is described as, for example, a computing device on the network. See paragraphs [0064], [0065] and [0067]. Naturally, it is understood that the claims are not limited by the above example embodiments, which are simply representative examples of embodiments according to the claims.

Furthermore, and without conceding the correctness of the objection or the rejection, Claims 31 and 32 have been amended to remove references to a notifying unit or a determination unit.

Withdrawal of the objection and the § 112 rejection is therefore respectfully requested.

Claims 17 to 22, 28 and 30 to 35 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,574,742 (Jamroga) in view of U.S. Publication No. 2002/0059236 (Sato). Claims 23 to 26, 29 and 36 were rejected under § 103(a) over Jamroga, Sato and U.S. Patent No. 5,851,186 (Wood). Claim 27 was rejected under § 103(a) over Jamroga, Sato and U.S. Publication No. 2005/0066165 (Peled). Reconsideration and withdrawal of these rejections are respectfully requested.

Independent Claims 17 and 30 generally concern authorizing access to medical image data. Digital medical image data generated by imaging facilities is stored at a server, and an authorized user is provided with access to at least a part of the stored digital medical image data via an authorization process on the network.

According to aspects of Claims 17 and 30, there is a display of a list of authorized image data to which the authorized user has access. The authorized user is enabled to use the displayed list to select image data to be granted rights to access from among the authorized image data.

By virtue of this arrangement, it is ordinarily possible to allow the authorized user to select a subset of authorized image data to be forwarded to another individual. In particular, the authorized image data is a subset of all image data. The

authorized user selects a further subset of the image data from the authorized image data, and it is access to this further subset which can be forwarded to a third party.

Referring specifically to claim language, independent Claim 17 is directed to a method of authorizing access to medical image data generated by one or more imaging facilities. The method includes receiving digital medical image data generated by the one or more imaging facilities via a network at a server, and storing the digital medical image data at the server. The method also includes providing an authorized user with access to at least a part of the stored digital image data via an authorization process on the network. The method further includes displaying a list of the authorized image data to which the authorized user has access. In addition, the method includes enabling the authorized user to select digital image data to be granted rights to access from among the authorized image data by using the displayed list. The method also includes enabling the authorized user to grant an individual other than the authorized user rights to access the selected image data.

Independent Claim 30 is directed to a server system substantially in accordance with the method of Claim 17.

The applied art is not seen to disclose or suggest the features of Claims 17 and 30, and in particular is not seen to disclose or suggest at least the feature of enabling an authorized user to select authorized digital image data to be granted rights to access using a displayed list of authorized image data.

As understood by Applicants, Jamroga is directed to a system for sequentially receiving data from participating institutions. A long-term storage provides requested information if requested information is not found on an institution server or a warehouse server. See Jamroga, Abstract.

Page 4 of the Office Action asserts that Jamroga (Column 12, line 66 to Column 13, line 21) discloses enabling an authorized user to select digital image data from among the stored image data to which the authorized user has access.

However, the cited portions of Jamroga simply disclose preventing unauthorized transactions or communication by unknown users. See Jamroga, Column 12, line 66 to Column 13, line 21. The cited portions of Jamroga are not seen to disclose or suggest enabling an authorized user to select a subset of authorized image data, much less enabling an authorized user to select authorized digital image data to be granted rights to access using a displayed list of authorized image data.

Satoh has been reviewed and is not seen to remedy the deficiencies of Jamroga. In particular, Satoh is seen to disclose granting access to data to another user, but is not seen to disclose or suggest enabling an authorized user to select authorized digital image data to be granted rights to access using a displayed list of authorized image data.

Wood and Peled have been reviewed and are not seen to remedy the deficiencies of Jamroga and Satoh.

Therefore, independent Claims 17 and 30 are believed to be in condition for allowance, and such action is respectfully requested.

The other claims in the application are each dependent from the independent claims and are therefore believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the claims, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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